

IN THE U.S. PATENT AND TRADEMARK OFFICE

PATENTS

In re Application of: R. Martin Emanuele, et al.

Docket No. 19720-0625 (42896-261843)

Serial No. 09/919,504

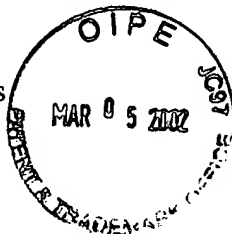
Filed: July 31, 2001

For: Therapeutic Delivery Compositions and Methods of Use Thereof

#3

RESPONSE TO NOTICE TO FILE MISSING PARTS - FILING DATE GRANTED

Attention: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231



COPY OF PAPERS
ORIGINALLY FILED

Sir:

Transmitted herewith are papers in the above-identified application.

- ☒ Formalities Letter - Notice to File Missing Parts of Application - Filing Date Granted.
- ☒ Declaration and Power of Attorney.
- ☒ Petition for Extension of Time Under 37 C.F.R. § 1.136.
- ☒ Submission of Formal Drawings.
- ☒ The additional fee is calculated as shown below.
- ☒ Applicant claims small entity status.

| FOR: | NO. FILED | NO. EXTRA | RATE | FEE | RATE | FEE |
|---|-----------|-----------|--------|-----|--------|-----|
| BASIC FEE | | | \$370 | 370 | \$740 | |
| TOTAL CLAIMS | 38 - 20 = | 18 | x9 = | 162 | x18 = | |
| INDEP. CLAIMS | 6 - 3 = | 3 | x42 = | 126 | x84 = | |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED | | | +140 = | | +280 = | |
| <input checked="" type="checkbox"/> LATE-FILING SURCHARGE | | | +65 = | 65 | +130 = | |
| <input type="checkbox"/> FOREIGN LANGUAGE SURCHARGE | | | +130 = | | +130 = | |
| <input type="checkbox"/> OTHER | | | | | +435 = | |
| | | | TOTAL | 723 | TOTAL | |

- ☒ A check in the amount of \$723.00 is attached for the basic filing fee, excess claims and late filing fee and a check in the amount of \$720.00 is attached for a four month extension of time.
- ☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16, or credit any overpayment, to Account No. 11-0855. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Missing Parts Washington, D.C. 20231, on February 20, 2002.

Janina A. Malone - Reg. No. 47,768

KILPATRICK STOCKTON LLP
1100 Peachtree Street
Suite 2800
Atlanta, Georgia 30309-4530
Telephone: 404/815-6500

By:
Janina A. Malone
Attorney for Applicant
Reg. No. 47,768

ADDENDUM 1

Co-pending U.S. Application Serial No. 09/457,771, filed December 9, 1999. Is a continuation of U.S. Application Serial No. 09/104,088, filed June 24, 1998, now abandoned, which is a continuation-in-part of U.S. Application Serial No. 08/926,297, filed September 5, 1997, now abandoned, which is a continuation of U.S. Application Serial No. 08/725,842, filed September 30, 1996, now abandoned, which is a continuation of U.S. Application Serial No. 08/138,271, filed October 15, 1993, now abandoned.

U.S. Application Serial No. 09/368,855, filed August 5, 1999, is a continuation of U.S. Application Serial No. 08/889,342 filed July 8, 1997, now United States Patent No. 5,990,241, which is a continuation of U.S. Application Serial No. 08/657,161, filed June 3, 1996, now United States Patent No. 5,691,387, which is a division of U.S. Application Serial No. 08/087,136 filed July 2, 1993, now United States Patent No. Re. 36,665, which is a continuation of U.S. Application Serial No. 07/847,874 filed March 13, 1992, now abandoned, which is a continuation-in-part of United States Application Serial No. 07/673,289, filed March 19, 1991, now abandoned.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|---------------------------|
| 09/919,504 | 07/31/2001 | R. Martin Emanuele | 19720-0625 (42896-261843) |

CONFIRMATION NO. 3166

FORMALITIES LETTER



OC00000006470959

Jeffery B. Arnold
KILPATRICK STOCKTON LLP
SUITE 2800
1100 Peachtree Street
Atlanta, GA 30309-4530



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Date Mailed: 08/24/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

03/08/2002 HMARZ11 00000005 09919504

FILED UNDER 37 CFR 1.53(b)

| | |
|-----------|-----------|
| 01 FC:201 | 370.00 OP |
| 02 FC:203 | 162.00 OP |
| 03 FC:202 | 126.00 OP |
| 04 FC:205 | 65.00 OP |

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$282.
 - \$162 for 18 total claims over 20.
 - \$120 for 3 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 702.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

03/08/2002 HMARZ11 00000005 09919504

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|-----------|-----------|
| 01 FC:201 | 370.00 OP |
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| 03 FC:202 | 126.00 OP |

65.00 OP

HB

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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